

19 MAY 2005 #2
P E B

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85610

Nobuaki TANIGUCHI, et al.

Appln. No.: 10/521,119 ✓

Group Art Unit: not yet assigned

Confirmation No.: Not yet assigned

Examiner: not yet assigned

Filed: January 12, 2005

For: N-PHENYL-(2R, 5S) DIMETHYLPIPERAZINE DERIVATIVE

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No.: 10/521,119

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of the corresponding International Search Report indicating the degree of relevance found by the International Bureau. In addition, Applicant submits the following explanations for the foreign language documents:
WO 00/17163:

This reference is cited in the International Search Report and International Preliminary Examination Report. In addition, this reference is cited and explained in the specification as Patent Document 4. The corresponding U.S. Patent is U.S. Patent No. 6, 673,799.

JP-A-2001-328938:

This reference was cited in the International Search Report and International Preliminary Examination Report. The description part of JP 2001-328938 are substantially similar to WO 00/17163. English translation of the claims are attached hereto.

JP-49-81332:

This reference is described on page 3 of the present specification.

Nihon Rinsyo, 1998, 56(8), 2124-2128 (Non-patented Document 1 in the specification):

This reference describes, at lines 16-18 of left column of page 2127, that, when bicalutamide is solely used, the blood testosterone level does not decrease and libido can be maintained.

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U.S. Appln. No.: 10/521,119

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

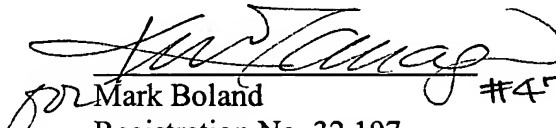
Respectfully submitted,

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Date: May 19, 2005

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(use as many sheets as necessary)*

Sheet

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of

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Complete if Known

Application Number	10/521,119
Confirmation Number	Not yet assigned
Filing Date	January 12, 2005
First Named Inventor	Nobuaki TANIGUCHI
Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	Q85610

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 6,673,799	B1	01/06/2004	Taniguchi et al.
		US 3,875,229		04/01/1975	Gold
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	00/17163	A1	03/30/2000		Abstract
		JP	2001-328938	A	11/27/2001		No
		JP	49-81332	A	08/06/1974		No
		EP	0 100 172	A1	02/08/1984		English
		WO	95/19770	A1	07/27/1995		English

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Koichiro Akakura et al., "Steroidal and Nonsteroidal Antiandrogens: Chemical Structures, Mechanism of Action and Clinical Applications" Nihon Rinsyo (1998), Vol. 56, No. 8, pp. 2124-2128	Abstract
		International Search Report dated August 8, 2003	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.